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U.S. DISTRICT COURT  
DISTRICT OF ALASKA

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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,	)	No. A02-103 CR (HRH)
Plaintiff,	)	
	)	GOVERNMENT'S SENTENCING
v.	)	MEMORANDUM, MOTION, AND
	)	SUPPORTING MEMORANDUM
FELICIA GARCIA (#20),	)	FOR DOWNWARD DEPARTURE
	)	
Defendant.	)	<u>FILED UNDER SEAL</u>
_____	)	

The United States concurs with the recommendations made by the final  
presentence investigation report.

Pursuant to United States Sentencing Guideline Section 5K1.1 and 18  
U.S.C. § 3553(e), the United States Attorney for the District of Alaska moves the

court to grant the defendant a downward guideline sentencing departure from the otherwise applicable guideline sentence range.

The defendant's guideline sentence range according to the final presentence investigation report is between 57 and 71 months' imprisonment. The United States moves for a six-level downward departure to a sentence of no less than 30 months' imprisonment.

The recommended downward departure in this case is based upon the factors set forth in U.S.S.G. § 5K1.1(a)(1), (2), (3), (4), and (5). It is the government's belief that the defendant has provided substantial assistance in the investigation and prosecution of other offenders, and has met the factors described in U.S.S.G. § 5K1.1 (a)(1) through (5). The information provided appears to be truthful, complete, and reliable. As a normal result of her cooperation, the defendant has been exposed to a heightened risk of physical retribution. The assistance provided was timely, and as discussed below, she provided significant, useful, and relatively extensive cooperation. The United States recommends a departure of 27 months, essentially 50% of the sentence that would otherwise be imposed, because the defendant's cooperation was both timely and helpful in the investigation and prosecution of other defendants.

Felicia Garcia is the mother of four other defendants in this case: Suheil Garcia, Claribel Garcia, Gregoria Mateo, and Milagros Mateo. Together with her daughters, the defendant laundered a large amount of drug money, primarily on behalf of Juan and Santiago Crucey, the boyfriends of Claribel and Suheil, and their brothers, Agapito, Eladio, and Maximo DeLeon Crucey.

After her arrest, Felicia rapidly indicated that she wished to cooperate. She provided apparently truthful information about her own daughters' criminal activity. She also discussed the cocaine trafficking crimes committed by Manuel Zapata, Santiago Crucey, and Juan Crucey.

A sentence of 30 months more than adequately reflects the defendant's assistance, while holding her accountable for her willful actions and knowing assistance to a serious cocaine conspiracy and money laundering operation.

Since the final sentencing range is 30-37 months, the government recommends a sentence of 30 months in this case. No fine or restitution is

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requested. The government requests the maximum period of supervised release, in order to better insure that the defendant does not re-offend.

RESPECTFULLY SUBMITTED this day, June 30, 2003, at Anchorage,  
Alaska.

TIMOTHY M. BURGESS  
United States Attorney



THOMAS C. BRADLEY  
Assistant U.S. Attorney



JAMES N. BARKELEY  
Assistant U.S. Attorney

I declare under penalty of perjury that a true and correct copy of the foregoing was sent to the following counsel of record on June 30, 2003, via:

(X) U.S. Mail  
(X) Hand Delivery

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and

U.S. Probation Office

Executed at Anchorage, Alaska, on June 30, 2003



Katie Voka  
Legal Assistant  
Office of the U.S. Attorney